

**REMARKS**

Claims 1, 6-9 and 14-16 have been rejected under 35 USC 103(a) as unpatentable over Swale in view of Granberg.

The present invention discloses a system and a method for providing exact call charge information (e.g. total cost of a current call, cost per minute, etc.) in a telecommunication link between a calling and called subscriber at the called subscriber's side. The calling subscriber uses a first terminal which is connected to a first local telecommunication exchange. The second subscriber uses a second terminal which is connected to a second local telecommunication exchange.

Call charges arising for a telecommunication link are determined in the first local telecommunication exchange (calling subscriber's side), because call charge calculation is possible at the calling subscriber's side, whereas the charging tariff for a call is available at the calling subscriber's side. According to the invention, the first local telecommunication exchange generates a message which holds the corresponding call charge information (i.e. Charging Tariff, Add-on Charge, Charging Acknowledgement). The message is sent to the second local telecommunication exchange (called subscriber's side). The call charge information is configured such that it can be used for real time charging during the actual telecommunication link at the called subscriber's side – e.g. for Reversed-On-Line-Charging, Advice-of-Charge or Subscriber Credit Limit Supervision for the called subscriber. The call charge information creates a call charge account for the called subscriber in real time.

In the present invention, the call charge information is sent as a *message* from the first local telecommunication exchange of the calling subscriber to the second local telecommunication exchange of the called subscriber. Thus, the call charge can be calculated correctly in the second local telecommunication exchange (called subscriber's side) in real-time based on the call charge information sent. For sending the call charge information to the second telecommunication exchange, an APM ISUP message can be used.

The Examiner argues, in Response to Arguments, that “Swale further teaches Steps 154, 156: exchange A responds to the acceptance of the charge reversal request by instructing exchange B to set up its own Call Detail Record for the call, naming party B as the calling party: this signal will contain the necessary number, charge band and timing details as exchange B will not previously have recorded such information. Exchange B only stores the CDR in its own storage 13.” (See, col. 6; lines 30 to 40 of Swale). Applicant’s respectfully disagree.

CDRs (Call Detail Record) are not used for providing call charge information in real time, such as necessary for features of Advice of Charge, by which the actual call cost are displayed on the subscriber’s terminal or Subscriber Credit Limit Supervision, by which the capability is provided of not allowing the accruing costs to exceed the upper limit by terminating the telephone call. A CDR is normally generated at the end of a call, and is processed in an operation support system (e.g. billing center) which is the basis for the bill sent to each subscriber. It is also mentioned in Swale that the CDR is stored in the storage of the Exchange.

Granberg discloses a method and apparatus for providing advice of charge parameters for mobile radio telephone calls. Advice of charge (AoC) is a feature used in ISDN- and mobile networks. AoC offers the subscriber detailed information on call charges of a call – before, during or immediately after the call – shown at the subscriber’s device (e.g. display of the cellular phone, etc.). Therefore the call charge information has to be available at the subscriber’s side (e.g. local exchange) for use in real time charging. Normally, the exchange sends a multiplier per rate unit (e.g. minute) as well as the cost of one rate unit (e.g. unit) to the subscriber’s device.

Since Swale teaches the use of Call Detail records, which are generated *at the end* of a call, and the AoC parameters taught by Granberg are used *in real time*, the charge band cannot read on the AoC, as suggested by the Examiner.

Claims 2-3 and 10-11 have been rejected under 35 USC 103(a) as unpatentable over Swale in view of Granberg, further in view of Lampola. The rejection is respectfully traversed for the same reasons presented in the arguments above.

Claims 4-5 and 12-13 have been rejected under 35 USC 103(a) as unpatentable over Swale in view of Granberg and Lampola, further in view of Fabritius. The rejection is respectfully traversed for the same reasons presented in the arguments above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122020600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 6, 2006

Respectfully submitted,

  
By

Kevin R. Spivak

Registration No.: 43,148

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7762